



FARM USE AFFIDAVIT EXEMPTION FORM

Department of Public Works

Anyone requesting an exemption from code and permits from the Department of Public Works, Building Division, for the farm exemption per section 102.3(6) of the Virginia Uniform Statewide Building Code (VUSBC) must read and sign the accompanying affidavit and provide a copy of **schedule F (Form 1040), Profit or Loss from Farming**, that was filed with the IRS for the current or previous tax year.

SECTION 102 PURPOSE AND SCOPE

102.1 Purpose. In accordance with Section 36-99 of the Code of Virginia, the purpose of the USBC is to protect the health, safety and welfare of the residents of the Commonwealth of Virginia, provided that buildings and structures should be permitted to be constructed at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation, including provisions necessary to prevent overcrowding, rodent or insect infestation, and garbage accumulation; and barrier-free provisions for the physically handicapped and aged.

102.3 Exemptions. The following are exempt from this code:

6. Farm buildings and structures, except for a building or a portion of a building located on a farm that is operated as a restaurant as defined in Section 35.1-1 of the Code of Virginia and licensed as such by the Virginia Board of Health pursuant to Chapter 2 (Section 35.1-11 et. seq.) of Title 35.1 of the Code of Virginia. However, farm buildings and structures lying within a flood plain or in a mudslide-prone area shall be subject to flood-proofing regulations or mudslide regulations, as applicable.

FARM BUILDING OR STRUCTURE. A building or structure not used for residential purposes, **located on property where farming operations take place**, and used primarily for any of the **following uses** or combination thereof:

1. Storage, handling, production, display, sampling or sale of agricultural, horticultural, floricultural or silvicultural products produced in the farm.
2. Sheltering, raising, handling, processing or sale of agricultural animals or agricultural animal products
3. Business or office uses relating to the farm operations.
4. Use of farm machinery or equipment or maintenance or storage of vehicles, machinery or equipment on the farm.
5. Storage or use of supplies and materials used on the farm.
6. Implementation of best management practices associated with farm operations.

- 1) Provide Internal Revenue Service (IRS) (Form 1040) **SCHEDULE F** Profit or Loss from Farming
- 2) Owners, Planning and Zoning, Commissioner of Revenue signatures must be completed prior to for approval of the farm exemption by the Building Official.

Farm Use Exemption Affidavit

I, _____, of

Address _____ affirm that I am the owner or agent for the owner of the property located

at map and tax parcel number _____ in the County of Stafford, in the Commonwealth of Virginia. I affirm that said property is used in an farming operation devoted to the bona fide production of crops, or animals, or fowl, including but not limited to the production of fruits and vegetables of all kinds; meat, dairy and poultry products; nuts tobacco, nursery and floral products; or the production and harvest of products from silviculture activity.

I understand the Zoning Administrator must approve and issue a zoning permit for the use of the farm structure as an Agricultural Structure before the exemption to the Virginia Uniform Statewide Building Code may be applied and approved by the Building Code Official. I understand the Zoning Division of the Department of Planning and Zoning may require inspection of the property prior to issuance of the zoning permit. _____ initial

I affirm that the structure to be constructed will not be used for residential purposes and it will be used primarily for the

following: _____ initial

Acknowledgment by the following departments is required prior to acceptance by the Building Official for VUSBC Farm Exemption:

Planning and Zoning _____ Date _____

Must be designated in Land Use by the Commissioner of Revenue

Commissioner of the Revenue _____ Date _____

Print Name

(Owners Signature)

PUBLIC WORKS DEPARTMENT USE ONLY

County/City of _____, Commonwealth of Virginia

The foregoing instrument was subscribed and sworn before me this _____ day of _____.

By _____ Notary Public

My commission expires _____